

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

MAVERICK CONSTRUCTION CORP., )  
)  
Plaintiff, )  
)  
v. ) C.A. No. 03-12537-WGY  
)  
BUILDING AND CONSTRUCTION TRADES )  
COUNCIL OF BOSTON; LOCAL 103, )  
INTERNATIONAL BROTHERHOOD OF )  
ELECTRICAL WORKERS; and LOCAL 223 )  
LABORERS INTERNATIONAL UNION OF )  
NORTH AMERICA, )  
)  
Defendants. )  
\_\_\_\_\_ )

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MASS.  
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CLERK'S OFFICE

**INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, LOCAL 103's  
ANSWER TO COMPLAINT**

International Brotherhood of Electrical Workers, Local 103 hereby answers the complaint in this action as follows:

1. Admits the allegations of paragraph 1.
2. Admits that Maverick provides services to public utilities and the telecommunication industry, but denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 2.
3. Admits the allegations of paragraph 3
4. Admits the allegations of paragraph 4.
5. Admits the allegations of paragraph 5.
6. Admits the allegations of paragraph 6.
7. Denies the allegations of paragraph 7.



8. Admits the allegations of paragraph 8.
9. Admits that the Unions are signatories to a Project Labor Agreement, refers to its terms and any other relevant evidence for its meaning, scope, and application, and denies the remaining allegations of paragraph 9.
10. Admits the allegations of paragraph 10.
11. Admits that the quoted language is contained in the PLA, but refers to its terms and any other relevant provisions of the PLA or other evidence for its meaning, scope and application.
12. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 12.
13. Admits that Maverick employees began work on the project site on or about April 30, 2003 but denies knowledge of the remaining allegations of paragraph 13.
14. Denies the allegations of paragraph 14.
15. Denies the allegations of paragraph 15.
16. Denies the allegations of paragraph 16.
17. Incorporates its answers to previous paragraphs.
18. Denies the allegations of paragraph 18.
19. Denies the allegations of paragraph 19.
20. Denies the allegations of paragraph 20.

#### **AFFIRMATIVE DEFENSES**

1. Plaintiff's claim fails to state a claim for which relief can be granted.
2. Plaintiff's claim is barred by the applicable limitations period.



3. Plaintiff's claim is barred by the doctrines of res judicata and collateral estoppel.

4. Plaintiff's claim falls within the primary jurisdiction of the National Labor Relations Board.

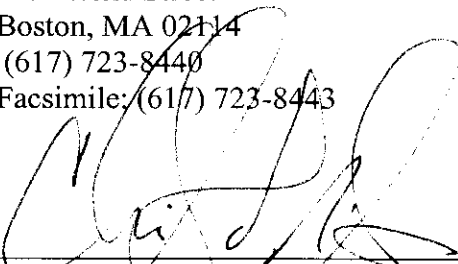
5. Plaintiff has failed to exhaust arbitral and administrative remedies.

Wherefore, defendant respectfully prays that judgment be entered in its favor and for such other relief as this Court deems just and proper.

Dated: January 8, 2004

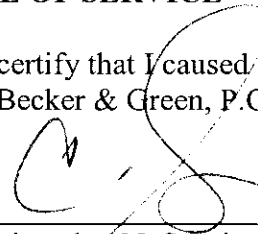
Respectfully submitted,

Christopher N. Souris  
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Attorney for Defendant International  
Brotherhood of Electrical Workers Local 103

#### **CERTIFICATE OF SERVICE**

I, Christopher N. Souris, hereby certify that I caused a copy of the foregoing to be mailed this date to David S. Rubin, Epstein, Becker & Green, P.C., 111 Huntington Avenue, Boston, MA 02199.

  
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Christopher N. Souris